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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DESAI, HEMANT

ART UNIT PAPER NUMBER

3721

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/765,360

Applicant(s)

DALIETOS ET AL.

Examiner

Hemant M Desai

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15, 17-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kataoka (4523421).

Kataoka discloses an apparatus and method for feeding a wrapping web (P, fig. P, fig. 1) to a wrapping station where a product (C, fig. 1) is to be wrapped with the wrapping web, the apparatus comprising a back-stand (1, 1', figs. 1-2) for holding a supply roll (9, fig. 1) of the wrapping web and for unwinding and rewinding (belt 26, fig. 2) the wrapping web from the supply roll, and a conveyor (10, fig. 1) for transporting the wrapping web unwound from the supply roll to the wrapping station, which meets all the claimed limitations.

Regarding claim 2, the conveyor (10) comprises a vacuum conveyor belt (11, fig. 1).

Regarding claims 3 and 10, a path along which the wrapping web is to be dispensed from the supply roll (9) to the conveyor (10), is without bend rollers.

Regarding claim 4, an elongated guiding element (28, figs. 4-5) having a first end located below and adjacent the back-stand for receiving a lead edge of the wrapping web (see figs. 4-5), and a second opposite end located above and adjacent the

Art Unit: 3721

conveyor (10, figs. 4-5) for guiding the lead edge of the wrapping web to fall under gravity onto said conveyor.

Regarding claims 5 and 6, Kataoka discloses a back-stand (storage 1 and 1') which comprises plurality of wrapping rolls (9) and therefore two chuck portions are inherent to hold the core of these rolls. Further, Kataoka disclose that the wrapping paper rolls (9) are of varying width (see col. 6, lines 25-27), therefore a driving mechanism is inherent to drive the chuck portion to drive in the axial direction to accommodate the various widths of paper rolls. Kataoka also discloses to unwind and rewind the wrapping web (see col. 6, lines 48-50 and 60-66).

Regarding claim 9, Kataoka discloses to cut the web and rewind an unused portion of the unwound length (see col. 6, lines 40-66).

Regarding claim 11, Kataoka discloses to allow the lead edge of the wrapping web to fall under gravity directly from the supply roll (9) on the conveyor (10), and using the conveyor to transport the lead edge and, successively, the unwound length of the wrapping web to the wrapping station where the product is wrapped.

Regarding claim 12, Kataoka discloses to cut (cutter 15, fig. 1) the wrapping web (P) and rewinding an unused portion of the unwound length of the wrapping web onto the supply roll (see col. 6, lines 63-66), wherein a new lead edge of the wrapping web obtained after the cutting and rewinding is hung above and adjacent the conveyor for subsequent feeding of the wrapping web to the wrapping station.

Art Unit: 3721

Regarding claims 15 and 19, the feeding comprises transporting the lead edge and, subsequently, the unwound length of the wrapping web by a conveyor belt (10) to the wrapping station, and the wrapping web is held on the conveyor belt by vacuum.

Regarding claim 17, Kataoka discloses that the wrapping web is fed exclusively downwardly from the supply roll to the wrapping station where the wrapping web is then fed between a tuning roller (14, fig. 1) and the product (C) being wrapped.

Regarding claim 18, Kataoka discloses a plurality of the supply rolls (9, figs. 1-2) having different widths, and selecting at least one of the supply rolls to wrap the product, based on the width of the wrapping web of the at least one selected supply roll and a dimension of the product (see col. 3, lines 49-59).

Regarding claim 20, Kataoka, discloses a seat (6, fig. 1) on which the product is to be cradled.

Regarding claim 21-22, Kataoka discloses web selector (1, 1', figs. 1-2, see col. 3, lines 49-55) to feed the web from at least one of the back-strands.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kataoka in view of Lancaster (2893191).

Kataoka, as mentioned above discloses all the claimed limitations, except for overlapping two supply rolls. However, Lancaster teaches to overlap two webs (16a, 16b, fig. 10) from rolls 14a and 14b to provide various widths to wrap different widths of rolls (see col. 3, lines 8-22). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to overlap two webs as taught by Lancaster in the method and apparatus for feeding a wrapping web of Kataoka to provided various widths to wrap different widths of rolls.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M Desai whose telephone number is (571) 272-4458. The examiner can normally be reached on 7:00 AM-5: 30 PM, Mon-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant M Desai  
Examiner  
Art Unit 3721

HMD



Rinaldi I. Rada  
Supervisory Patent Examiner  
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